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|-----------------------------|-------------|----------------------|---------------------|------------------|
| APPLICATION NO.             | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
| 10/521,994                  | 01/19/2005  | Robert J. Levy       | RCHP-132US          | 1713             |
| 23122                       | 7590        | 05/05/2008           | EXAMINER            |                  |
| RATNERPRESTIA               |             |                      | GILLESPIE, BENJAMIN |                  |
| P O BOX 980                 |             |                      | ART UNIT            | PAPER NUMBER     |
| VALLEY FORGE, PA 19482-0980 |             |                      | 1796                |                  |
| MAIL DATE                   |             | DELIVERY MODE        |                     |                  |
| 05/05/2008                  |             | PAPER                |                     |                  |

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

*Note*

Continuation of Section 3: Applicants' amendment filed 4/28/2008 will not be entered because it raises issues that would require further consideration under 35 U.S.C. 112 2<sup>nd</sup> paragraph. It is unclear as to what species of "modified cholesterol," is available for the claimed invention, and how the "step[s] of treating" corresponds to all "modified cholesterol" species.

In particular, claim 17 initially states that the "steroid lipid comprises modified cholesterol," wherein said modified cholesterol is "a thiol-modified cholesterol substituent, an amino-modified cholesterol substituent, a carboxy-modified cholesterol substituent, and an epoxy-modified cholesterol substituent," however the claim later sets forth limiting language consisting of "the modified cholesterol is a thiol modified cholesterol."

Therefore, it is unclear as to how the claimed invention is related to the polyurethanes containing amino, carboxy, or epoxy-modified cholesterol, and how the process comprising the treatment with epihalohydrin, and thiolating agent are related to the amino, carboxy, or epoxy-modified cholesterol. As a result, the proposed amendment raises issues under 35 U.S.C. 112 2<sup>nd</sup> paragraph, and will not be entered.

/Rabon Sergent/  
Primary Examiner, Art Unit 1796